UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,305	09/02/2003	William N. Schilit	FXPL-01018US1	2768

23910 7590 04/13/2009

FLIESLER MEYER LLP
650 CALIFORNIA STREET
14TH FLOOR
SAN FRANCISCO, CA 94108

EXAMINER	
KE, PENG	

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
04/13/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/653,305	SCHILIT ET AL.	
	Examiner	Art Unit	
	SIMON KE	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 February 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *16-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *16-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/6/09*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to communications: Amendment, filed on 1/30/09.

Claims 16-32 are pending in this application. Claims 16, 27, and 30 are independent claims. In the amendment file in 1/30/09, claims 30-32 were added.

Double Patenting

Claims 16-32 rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1-5 of U.S. Patent No. 6,670,968. Although the conflicting claims are not identical, they are not patentably distinct from each other because they both recite the limitation" a web page containing both content and links, extracting only the links from the content of the Web page, said extracting performed without receiving further input from a user, and providing only the links separately from the content for viewing on the display."

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 30-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 30-32 recite the limitation "driving instructions" which are not disclosed in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 16-17, 23-25, 27, 28, and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. ("Lincke" US Patent No. 6,397,259) in view of Malik ("Malik " US Patent No. 6,023,701.

Regarding independent claim 16, Lincke teaches a method for formatting Web page information for providing to a display, on a mobile device comprising the steps of: initiating access to a Web page data file identified by a URL, access imitated by a user selection of the URL from the mobile device (i.e. compare "HTML Page 144" on Neb Server 140" with "Browser 104" on "Wireless Application 106" in Figure 1 et seq. of Lincke). Lincke does not teach a web page containing links, or extracting and providing links for viewing.

Malik teaches a web page containing both content and links, extracting only the links from the content of the Web page, said extracting performed without receiving further input from a user, and providing only the links separately from the content for viewing on the display (see Malik col. 4, lines 60-col. 5, lines30).

It would have been obvious to an artisan at the time of the invention to combine the extraction and display of links of Malik into the formatting of web pages for mobile devices of Lincke. Said artisan would be motivated to combine Malik into Lincke to provide a means by which the user can more conveniently access web page information in smaller electronic devices by filtering and organizing content based on information such as links, allowing the user to view topics and links as desired.

Regarding dependent claim 17, Lincke in combination with Malik teaches the method of claim 16, wherein the step of providing the links separately from the content comprises the steps of determining if more than one of the links identifies a single destination, and if so providing only one of the links identifying the single destination to the display (see Malik, col. 4, lines 60-col. 5, line 30).

Regarding dependent claim 23, Lincke in combination with Malik teaches the method of claim 16, wherein the step of providing the links comprises the step of: arranging an order of the links for viewing on the display based on a structure of the Web page (i.e. compare titles for links extracted from webpage and displayed on constrained device in see Malik, col.4, lines 60-col. 5, lines 30; see similar extraction and presentation in Figure 1 et seq. of Lincke).

Regarding dependent claim 24, Lincke in combination with Malik teaches the method of claim 16, wherein the mobile device consists of one or more of the following: an Internet phone;

a personal digital assistant; and a two-way pager (i.e. col. 2 line 55 et seq. of Lincke: "cellular phones, pager systems").

Regarding dependent claim 25, Lincke in combination with Malik teaches the method of claim 16, wherein the links are categorized as first links, the method further comprising the steps of: accessing a second Web page data file identified by a second URL, wherein the Web page contains both content and links; extracting the links from the content of the second Web page to provide second links; and providing the second links with the first links for viewing on the display (see Malik, col. 4, lines 60-col. 5 ,lines 30; see similar extraction and presentation in Figure 1 et seq. of Lincke).

Regarding independent claim 27, Lincke teaches a method for formatting Web page information for providing to a display, on a mobile device comprising the steps of: initiating access to a Web page data file identified by a URL, access imitated by a user selection of the URL from the mobile device (i.e. compare "HTML Page 144" on Neb Server 140" with "Browser 104" on "Wireless Application 106" in Figure 1 et seq. of Lincke). Lincke does not teach a web page containing links, or extracting and providing extracting one or more telephone number, fax numbers, addresses and email addresses from the Web page;

displaying only the one or more telephone numbers, fax numbers, addresses and email addresses on the mobile device and a name, wherein the name includes a portion of text identifying the telephone number, fax number, address and email address;

selecting either a telephone number, fax number, address or email address from the one or more telephone numbers, fax numbers, addresses and email addresses displayed on the mobile device; and

carrying out the context appropriate service on the selected telephone number, fax number, address or email address.

Malik teaches a web page containing links, or extracting and providing extracting one or more telephone number, fax numbers, addresses and email addresses from the Web page; (see Malik, col. 4, lines 60-col. 5, lines 30).

displaying only the one or more telephone numbers, fax numbers, addresses and email addresses on the mobile device and a name, wherein the name includes a portion of text identifying the telephone number, fax number, address and email address; (see Malik, col. 4, lines 60-col. 5, lines 30).

selecting either a telephone number, fax number, address or email address from the one or more telephone numbers, fax numbers, addresses and email addresses displayed on the mobile device; and

carrying out the context appropriate service on the selected telephone number, fax number, address or email address. (Malik, col. 4, lines 60-col. 5, lines 30).

It would have been obvious to an artisan at the time of the invention to combine the extraction and display of links of Malik into the formatting of web pages for mobile devices of

Lincke. Said artisan would be motivated to combine Malik into Lincke to provide a means by which the user can more conveniently access web page information in smaller electronic devices by filtering and organizing content based on information such as links, allowing the user to view topics and links as desired.

As per claim 28, Lincke and Malik teach the method of claim 27. Malik teaches wherein said extracting is performed without receiving further input from a user. (see Malik, col. 4, lines 60-col. 5, lines 30)

As per claim 30, Lincke teaches a method for extracting links to one or more addresses and one or both one or more driving instructions and one or more area maps from a Web page comprising the steps of:

accessing the Web page; (i.e. compare "HTML Page 144" on Neb Server 140" with "Browser 104" on "Wireless Application 106" in Figure 1 et seq. of Lincke).

Lincke does not teaches extracting one or more addresses and one or both one or more links to one or more area maps and one or more links to one or more driving instructions for the one or more addresses from the Web page; and

displaying the one or more addresses, one or both the one or more links to the one or more driving instructions and the one or more links to the one or more area maps together with a name, wherein the name includes a portion of text identifying the addresses.

Malik teaches extracting one or more addresses and one or both one or more links to one or more area maps and one or more links to one or more driving instructions for the one or more addresses from the Web page; (see Malik, col. 4, lines 40-lines 60) and

displaying the one or more addresses, one or both the one or more links to the one or more driving instructions and the one or more links to the one or more area maps together with a name, wherein the name includes a portion of text identifying the addresses. (see Malik, col. 4, lines 40-lines 60)

It would have been obvious to an artisan at the time of the invention to combine the extraction and display of links of Malik into the formatting of web pages for mobile devices of Lincke. Said artisan would be motivated to combine Malik into Lincke to provide a means by which the user can more conveniently access web page information in smaller electronic devices by filtering and organizing content based on information such as links, allowing the user to view topics and links as desired.

As per claim 31, Lincke and Malik teach the method of claim 30, wherein said extracting is performed without receiving further input from a user. (see Malik, col. 4, lines 60-col. 5, lines 30)

Claims 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. ("Lincke" US Patent No. 6,397,259) in view of Malik ("Malik " US Patent No. 6,023,701, Further in view Snyder US Patent 6,643,641

Regarding dependent claim 18, Lincke in combination with Malik teaches the method of claim 16. They fail to specifically teach wherein the step of providing the links separately from the content comprises the steps of: defining names for links identified by text in the Web page wherein the names are summaries of the identifying text using at least a portion of the identifying text; and defining names for links identified by a non- text image in the Web page by using at least a portion of text in an alternative (ALT) tag for the image if text is provided in an ALT tag associated with the image.

Snyder teaches the step of providing the links separately from the content comprises the steps of: defining names for links identified by text in the Web page wherein the names are summaries of the identifying text using at least a portion of the identifying text; and defining names for links identified by a non- text image in the Web page by using at least a portion of text in an alternative (ALT) tag for the image if text is provided in an ALT tag associated with the image. (see Snyder, col. 14 ,lines 1-40).

It would have been obvious to an artisan at the time of the invention to include Snyder's teaching with method of Linck and Malik in order for the system to correctly identify the html objects.

Regarding dependent claim 19, Lincke in combination with Malik and Snyder teaches the method of claim 18. Snyder further teaches method comprising the step of defining names for

links identified by non-text images in the Web page by using at least a portion of a URL code for the link when no text is provided in the ALT tag for the image (see Snyder, col. 14 ,lines 1-40).

Regarding dependent claim 20, Lincke in combination with Malik and Snyder teaches the method of claim 18. Snyder further comprising the step of defining names for links identified by non-text images in the Web page by using content of documents accessed using the links when no text is provided in the ALT tag for the image (see Snyder, col. 14 ,lines 1-40).

Regarding dependent claim 21, Lincke in combination with Malik and Snyder teaches the method of claim 20, wherein the content of the documents accessed using the link are titles (see Snyder, col. 14 ,lines 1-40).

Regarding dependent claim 22, Lincke in combination with Malik and Snyder teaches the method of claim 18, further comprising the step off defining names for links identified by non-text images in the Web page by using identifications for the links obtained from offsite documents when no text is provided in the ALT tag for the image (see Snyder, col. 14 ,lines 1-40).

Claims 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. ("Lincke" US Patent No. 6,397,259) in view of Malik ("Malik " US Patent No. 6,023,701 further in view of Kanesky (Kanevsky US Patent 6,300,947).

Regarding dependent claim 26, Lincke in combination with Malik teaches the method claim 16.

Malik further teaches selecting a link; (see Malik col. 4, lines 60-col. 5, lines 30) and However, they fails to teach selecting from a list of context appropriate services displayed on the device, wherein the selected context appropriate service is carried out on the selected link.

Kanesky teaches selecting from a list of context appropriate services displayed on the device, wherein the selected context appropriate service is carried out on the selected link. (see Kanesky, col. 15, lines 1-36)

It would have been obvious to an artisan at the time of the invention to include Kanesky's teaching with method of Linck and Malik in order for the system to customize the display based on use input.

Claims 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. ("Lincke" US Patent No. 6,397,259) in view of Malik ("Malik " US Patent No. 6,023,701 further in view of Narurkar (Narurkar US Patent 6,711,624).

As per claim 29, Lincke and Malik teach the method of claim 27. They fails to teach further teaches wherein the context appropriate services are selected from the group consisting of phoning, faxing and emailing the selected telephone number, fax number or email address.

Narurkar teaches wherein the context appropriate services are displayed as a list on the mobile device are selected from the group consisting of phoning, faxing and emailing the

selected telephone number, fax number or email address. (see Narurkar, fig. 11B, items 450-458).

It would have been obvious to an artisan at the time of the invention to include Narurkar's teaching with method of Linck and Malik in order for the system to parse for different information.

Claims 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lincke et al. ("Lincke" US Patent No. 6,397,259) in view of Malik ("Malik " US Patent No. 6,023,701 further in view of Nishimura (Nishimura US Patent 5,638,280).

As per claim 32, Lincke and Malik teach the method of claim 30. However, they fail to teach wherein the one or more links to one or more area maps and the one or more links to one or more driving instructions are displayed as a list on the mobile device as maps and driving instructions.

Nishimura teaches wherein the one or more links to one or more area maps and the one or more links to one or more driving instructions are displayed as a list on the mobile device as maps and driving instructions. (see Nishimura, col. 38, lines 60-65)

It would have been obvious to an artisan at the time of the invention to include Nishmura's teaching with method of Linck and Malik in order to provide user with traveling directions.

Response to Arguments

Applicant's arguments with respect to claims 16-32 have been considered but are moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke
/Peng Ke/
Examiner, Art Unit 2174